

1 John Meyer  
2 Andrew Gorder  
3 Cottonwood Environmental Law Center  
4 24 S. Willson Ave Suites 6-7  
5 Bozeman, MT 59715  
6 406-587-5800  
7 [John@cottonwoodlaw.org](mailto:John@cottonwoodlaw.org)  
8 [Andrew@cottonwoodlaw.org](mailto:Andrew@cottonwoodlaw.org)

9  
10 *Attorneys for Plaintiffs*

11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE DISTRICT OF MONTANA

13  
14 NOLAN SALIX; COTTONWOOD )  
15 ENVIRONMENTAL LAW CENTER, )  
16 Plaintiffs, )

17 vs. )

18 )  
19 UNITED STATES FOREST )  
20 SERVICE; VICTORIA )  
21 CHRISTIANSEN, in her official )  
22 capacity as Regional Forester of the )  
23 U.S. Forest Service, Region One; )  
24 )

25  
26 Defendants.  
27  
28

Cause No.

DECLARATION OF  
NOLAN SALIX

1  
2  
3 I, Nolan Salix, hereby declare as follows:  
4

5 1. I submit this declaration in support of Plaintiff's Complaint for Declaratory  
6 and Injunctive relief. I have personal knowledge of the matters stated herein and, if  
7 called as a witness, would and could competently testify thereto.  
8  
9

10 2. I am currently a resident of Dillon, Montana, and I have been a member of  
11 Cottonwood Environmental Law Center (CELC) since January 2011.  
12

13 3. I am a former resident of Cottonwood Canyon, located near Bozeman,  
14 Montana, which is directly adjacent to the Gallatin National Forest and areas  
15 within the upcoming Bozeman Municipal Watershed Project (the Project). I  
16 understand that the Project area contains designated lynx critical habitat.  
17  
18

19 4. I have a strong interest in the management of wildlife on public forest lands.  
20 This interest is based on my lifetime as a sportsman, hiker and recreationist who  
21 enjoys these activities on numerous public forest lands throughout Montana.  
22  
23

24 5. I recreate in designated lynx critical habitat in the Gallatin National Forest. I  
25 enjoy visiting these areas, and I use them on a continuing and ongoing basis. These  
26 visits provide me an opportunity to engage in several of my hobbies, which include  
27 hunting, hiking, and looking for lynx.  
28

1 6. I have visited the Gallatin National Forest, including the designated critical  
2 habitat within the Project area, countless times in the past to participate in the  
3 above-mentioned recreational activities. My most recent visit was in November of  
4 2011, and I have concrete plans to return to hike, hunt for deer and elk, and look  
5 for lynx in their designated critical habitat in November of 2012.  
6  
7

8  
9 7. I have been, and will continue to be, injured by the defendants' failure to re-  
10 initiate lynx consultation under the Endangered Species Act (ESA). I am  
11 concerned the agency's failure to re-initiate consultation on the Northern Rockies  
12 Lynx Amendment (NRLA) and Forest Plans that incorporate the Northern Rockies  
13 Lynx Management Direction is allowing the agency to use management direction  
14 that is adversely modifying lynx critical habitat at both the site-specific and  
15 landscape scales. I am concerned that if the NRLA and NRLMD allow for adverse  
16 modification, the designated critical habitat will be less suitable for lynx, which  
17 diminishes my opportunity to view and enjoy lynx.  
18  
19  
20  
21

22 8. The negative impacts to lynx and their habitat, in the Gallatin National  
23 Forest and the Bozeman Watershed Project area degrade my spiritual experience  
24 and recreational experience of hiking and looking for wildlife such as the lynx in  
25 designated critical habitat. These are actual, concrete injuries.  
26  
27  
28

1 9. My personal, spiritual, recreational, and conservation interests as well as  
2 those of CELC and its members will be harmed if the defendants do not re-initiate  
3 consultation as required by the ESA. My ability and other CELC members' ability  
4 to see and enjoy lynx will be adversely impacted as a result of the above-named  
5 injuries.  
6  
7

8  
9 10. Unless these injuries are redressed by the requested relief, myself, CELC, its  
10 members, and the general public will suffer substantive harm.  
11

12 I declare under penalty of perjury that the foregoing is true and correct to the best  
13 of my knowledge.  
14  
15  
16  
17

18 Dated: March 23, 2012

19  
20 

21 Nolan Salix  
22  
23  
24  
25  
26  
27  
28